

May 16, 1975

This is a provision that has been enacted by more than 20 other states now and has by our research been rather successful. My interest in this thing came about by the fact that in the third district congressional election last year, even though it was an extremely close election, the state of Nebraska didn't have any law which provided for a recount. I think that in the case of a close election it is unfair not to give candidates that opportunity. This automatic recount provision would be set-off either by the county clerk or by the Secretary of State depending upon the level of which the election occurs. It would be keyed to a fixed percentage difference between the winning candidate and the contesting candidate. We are using formulas that are generally in effect in other states. The second provision that I have put in the bill that came from me is a provision requiring counting of absentee and disabled ballots on election day. This is something that does not occur until the canvassing board meets on Thursday. Quite often the canvassing board doesn't get to the A's and B's until the following week which means it may be anywhere from two to ten days until the results of a close election are finally accumulated. This particular provision would give the County Clerk the authority to bring the canvassing board in and do that work on the election day, they are going to have to do it anyway so that it wouldn't amount to any additional expense. They would get the results counted and you would have all but just a token two votes would be counted by the time the election day count was over. There arethe rest of the changes in the bill are primarily changes that have been brought in by the Secretary of State's office. Generally they are of a minor nature. One change that I do want to note and I would like to call your attention too and this is in section 36, 40 and 44 of the revised version. There is a revision in the way that write in ballots are counted. This was drafted by the Secretary of State's office and then drafted with the idea that the intent would be recognized that exact spelling would not be required. I wanted to call your attention to this and I think that it is a good provision but I do want you to have a chance to get a look at it if you have concerns in this area. Otherwise, I think that that concludes my explanation. Senator Rasmussen has made a motion that the amendments be adopted, which would effect the bill and I would be glad to answer them.

PRESIDENT: Senator George.

SENATOR GEORGE: Mr. President, members of this body, I rise in support of LB453 and its passage. I was one of three State Senators that attended the north-east Nebraska county officials meeting in Norfolk. There were probably about 350 of your county officials present, and all of them are in strong support of this bill. They are in agreement with this bill. It is true as Senator Anderson said that the Secretary of State's office worked out this bill but last year they did have a meeting at Kearney with quite a number of county officials so their input is in this bill. They are the ones that want this bill and they are also the ones that are on a time pressure. If we don't pass this bill